

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 9, 2013

AMENDED IN ASSEMBLY APRIL 3, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 455

**Introduced by Assembly Member Medina
(Coauthor: Assembly Member Quirk)**

February 19, 2013

An act to amend Sections 56351.7, 56351.8, and 56351.9 of, and to add Article 3.6 (commencing with Section 56355) to Chapter 4 of Part 30 of Division 4 of Title 2 of, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 455, as amended, Medina. Pupil instruction: special education: *blind and visually impaired pupils: deaf and hard-of-hearing pupils.*

(1) Existing law requires the Superintendent of Public Instruction to form an advisory task force to develop standards for the mastery of the braille code as a child progresses through kindergarten and grades 1 to 12, inclusive. Existing law requires the Superintendent to utilize this advisory task force to develop standards for visually impaired pupils to learn, and achieve mastery of, the braille mathematics code, and requires the task force to report those standards to the State Board of Education by March 1, 2006.

This bill would replace the advisory task force with a group of experts on the blind and visually impaired, as ~~defined~~ *described*, and would require the Superintendent, upon consultation with the group of experts, to develop standards that are aligned to the common core academic

content standards for blind and visually impaired pupils to learn, and achieve *the* mastery of and literacy in, *the* braille *code* and *the* braille mathematics ~~codes~~ *code*. The bill would require the Superintendent to recommend those standards to the state board by March 30, 2015.

This bill would additionally require the Superintendent, upon consultation with a group of experts on the Deaf and hard-of-hearing, to develop standards that are aligned to the common core academic content standards, for Deaf and hard-of-hearing pupils to learn, and achieve *the* mastery of and literacy in, American Sign Language as a ~~child~~ *pupil* progresses through kindergarten and grades 1 to 12, inclusive. The bill would require the Superintendent to recommend these standards to the state board by March 30, 2015.

(2) Existing law requires the state board to adopt braille reading and mathematics standards for visually impaired pupils by June 1, 2006.

This bill would require the state board to adopt braille reading and mathematics standards for blind and visually impaired pupils that are aligned to the common core academic content standards by June 30, 2015, as specified. The bill would require county offices of education, school districts, and special education local plan areas to provide blind and visually impaired pupils opportunities for instruction to master the standards adopted by the state board, thereby imposing a state-mandated local program.

This bill would also require the state board to adopt American Sign Language standards for Deaf and hard-of-hearing pupils that are aligned to the common core academic content standards by June 30, 2015, as specified. The bill would require county offices of education, school districts, and special education local plan areas to provide Deaf and hard-of-hearing pupils opportunities for instruction to master the standards adopted by the state board, thereby imposing a state-mandated local program.

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(3) *The* California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56351.7 of the Education Code is
2 amended to read:

3 56351.7. (a) The Superintendent shall consult with a group of
4 experts on the blind and visually impaired to develop standards
5 that are aligned to the common core academic content standards
6 to learn, and achieve the mastery of and literacy in, the braille code
7 as a pupil progresses through kindergarten and grades 1 to 12,
8 inclusive.

9 (b) The group of experts shall include, but shall not be limited
10 to, members representing all of the following:

11 (1) Parents of blind and visually impaired pupils.

12 (2) Teachers of blind and visually impaired pupils.

13 (3) Researchers in the field of blindness and visual impairment.

14 (4) Curriculum and instructional specialists with experience
15 with blind and visually impaired pupils.

16 (5) Groups that advocate for *the* teaching of, and *the* use of,
17 braille.

18 (c) At least one-half of the members of the group of experts
19 shall be currently employed public schoolteachers.

20 (d) The Superintendent shall make a recommendation to the
21 state board regarding the standards developed pursuant to
22 subdivision (a) by March 30, 2015.

23 SEC. 2. Section 56351.8 of the Education Code is amended to
24 read:

25 56351.8. (a) The Superintendent shall consult with the group
26 of experts established pursuant to Section 56351.7 to develop
27 standards that are aligned to the common core academic content
28 standards for pupils described in subdivision (b) to learn, and to
29 achieve mastery of and literacy in, the braille mathematics code
30 as they progress through kindergarten and grades 1 to 12, inclusive.

31 (b) The standards described in subdivision (a) shall be developed
32 for pupils who, due to a visual impairment, are functionally blind
33 or may be expected to have a need to learn the braille code as their
34 primary literacy mode for learning.

35 (c) The Superintendent shall make a recommendation to the
36 state board regarding the standards developed pursuant to
37 subdivision (a) by March 30, 2015.

1 SEC. 3. Section 56351.9 of the Education Code is amended to
2 read:

3 56351.9. (a) Except as provided in subdivision (c), by June
4 30, 2015, the state board shall adopt braille reading and
5 mathematics standards that are aligned to the common core
6 academic content standards for pupils who, due to a visual
7 impairment, are functionally blind or may be expected to have a
8 need to learn the braille code as their primary literacy mode for
9 learning.

10 (b) County offices of education, school districts, and special
11 education local plan areas shall provide to pupils described in
12 subdivision (a) opportunities for instruction to master the braille
13 reading and mathematics standards adopted by the state board.

14 (c) (1) The state board shall, if it revises braille reading or
15 mathematics standards recommended by the Superintendent,
16 provide written reasons for the revisions at a *regularly scheduled*
17 public meeting held pursuant to the Bagley-Keene Open Meeting
18 Act (Article 9 (commencing with Section 11120) of Chapter 1 of
19 Part 1 of Division 3 of Title 2 of the Government Code).

20 (2) The state board shall adopt the revised braille reading and
21 mathematics standards at a meeting subsequent to the meeting held
22 pursuant to paragraph (1) but no later than August 31, 2015.

23 SEC. 4. Article 3.6 (commencing with Section 56355) is added
24 to Chapter 4 of Part 30 of Division 4 of Title 2 of the Education
25 Code, to read:

26
27 Article 3.6. Individualized Education Program for Deaf and
28 Hard-of-hearing Pupils
29

30 56355. (a) The Superintendent shall consult with a group of
31 experts on the Deaf and hard-of-hearing to develop standards that
32 are aligned to the common core academic content standards to
33 learn, and achieve the mastery of and literacy in, American Sign
34 Language as a pupil progresses through kindergarten and grades
35 1 to 12, inclusive.

36 (b) The group of experts shall include, but shall not be limited
37 to, members representing all of the following:

- 38 (1) Parents of Deaf and hard-of-hearing pupils.
- 39 (2) Teachers of Deaf and hard-of-hearing pupils.
- 40 (3) Researchers in the field of deafness and auditory impairment.

1 (4) Curriculum and instructional specialists with experience
2 with Deaf and hard-of-hearing pupils.

3 (5) Groups that advocate for *the* teaching of, and *the* use of,
4 American Sign Language.

5 (c) At least one-half of the members of the group of experts
6 shall be currently employed public schoolteachers.

7 (d) The standards described in subdivision (a) shall be developed
8 for pupils who are Deaf or hard-of-hearing and who use American
9 Sign Language as their primary language or literacy access mode.

10 (e) The Superintendent shall make a recommendation to the
11 state board regarding the standards developed pursuant to
12 subdivision (a) by March 30, 2015.

13 56356. (a) Except as provided in subdivision (c), by June 30,
14 2015, the state board shall adopt American Sign Language literacy
15 standards that are aligned to the common core academic content
16 standards for pupils who are Deaf or hard-of-hearing and use
17 American Sign Language as their primary language or literacy
18 access mode.

19 (b) County offices of education, school districts, and special
20 education local plan areas shall provide to pupils described in
21 subdivision (a) opportunities for instruction to master the American
22 Sign Language literacy standards adopted by the state board.

23 (c) (1) The state board shall, if it revises American Sign
24 Language literacy standards recommended by the Superintendent,
25 provide written reasons for the revisions at a *regularly scheduled*
26 public meeting held pursuant to the Bagley-Keene Open Meeting
27 Act (Article 9 (commencing with Section 11120) of Chapter 1 of
28 Part 1 of Division 3 of Title 2 of the Government Code).

29 (2) The state board shall adopt the revised standards at a meeting
30 subsequent to the meeting held pursuant to paragraph (1) but no
31 later than August 31, 2015.

32 SEC. 5. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.

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